

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Noel L. Hillman
v. : Crim. No. 10-656
BRANDON HORTON : JUDGMENT ORDER

This matter having come before the Court on the attached Amended Petition of the United States Probation Office for a hearing regarding the failure of Brandon Horton (“defendant” or “participant”) to comply with certain conditions of supervised release imposed on June 29, 2011; and the defendant having agreed to have the matter adjudicated in Camden ReNew Court; and the defendant, under the Protocols Governing The Operation of ReNew-Camden, having accepted responsibility for the underlying conduct in the petition, namely Violation No. 1, which alleged that defendant committed another federal, state, or local crime during the term of supervision; Violation No. 2, which also alleged that the defendant committed another federal, state, or local crime during the term of supervision; Violation No. 3, which alleged the defendant failed to answer truthfully all inquiries and follow all instructions from his probation officer; Violation No. 4, which also alleged that the defendant committed another federal, state, or local crime during the term of supervision; Violation No. 5, which alleged that defendant failed to abide by the special condition that he refrain from the possession and use of alcohol; and Violation No. 6, which alleged that defendant failed to notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer; all Grade C violations.

IT IS on this 17th day of December, 2015,

ORDERED that, pursuant to the Protocols Governing The Operation of ReNew-Camden,

Participant BRANDON HORTON be, and the same hereby is, SANCTIONED, and his original Judgment is amended as follows: the term of supervised release imposed on June 29, 2011 is hereby continued with the following additional special condition: the defendant is committed to a Residential Reentry Center (i.e. halfway house or community correctional center) for a period of 3 months. While at the Residential Reentry Center the defendant shall be allowed to attend school and/or employment, drug and/or alcohol treatment, mental health counseling, and medical appointments for himself, his wife, and their children as approved by the United States Probation Officer. He is further eligible for weekend privileges as approved by the United States Probation Officer. Subsistence will be waived.

IT IS FURTHER ORDERED that all other conditions of the judgment of conviction entered in this matter shall remain in full force and effect.



HONORABLE NOEL L. HILLMAN
United States District Judge

United States District Court
for
District of New Jersey

COPY

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Brandon Horton

Docket Number: 10-00656-001

PACTS Number: 59511

Name of Sentencing Judicial Officer: THE HONORABLE GARRETT E. BROWN, JR. CHIEF UNITED STATES DISTRICT JUDGE - RETIRED

REASSIGNMET OF JUDICAL OFFICER
EFFECTIVE MAY 14, 2015

NAME OF NEWLY ASSIGNED JUDICIAL OFFICER:
HONORABLE JEROME B. SIMANDLE
CHIEF UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 06/29/2011

Original Offense: Felon in possession of a firearm, 18 U.S.C. § 922 (g)(1), a Class C felony

Original Sentence: 57 months imprisonment, 36 months supervised release. \$100.00 special assessment (satisfied). The special condition of alcohol/drug testing and treatment, if directed, was also imposed.

Initial Appearance on Violation of Supervised Release: On August 11, 2015, the Court ordered the offender released and added the special condition of mental health treatment.

Type of Supervision: Supervised Release

Date Supervision Commenced: 06/18/2015

Assistant U.S. Attorney: Jason Richardson, 401 Market St., 4th Floor, Camden, New Jersey 08101, (856) 757-5026

Defense Attorney: Thomas Young, Federal Defenders Office, 800 Cooper Street, Suite 350, Camden, New Jersey 08102, (856) 757-5341

PETITIONING THE COURT

The amended Violation of Supervised Release is approved. The offender is a Camden Re-entry Court participant and he has advised the Court that he wants the Camden Re-entry Court to address the below-referenced violations.

To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	The offender has violated the standard supervision condition which states 'You shall not commit another federal, state, or local crime.' (Domestic Violence).
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On October 13, 2015, this officer and a Lindenwold, New Jersey, Police Officer spoke with the offender's wife, Patrice Horton, at her residence and she advised that the offender grabbed and choked (domestic violence) her this date but she refused to make a statement for a police report and refused to press any charges against the offender.

2 The offender has violated the standard supervision condition which states '**You shall not commit another federal, state, or local crime.**' (**Domestic Violence**).

On October 13, 2015, this officer and a Lindenwold, New Jersey, Police Officer spoke with the offender's wife, Patrice Horton, at her residence and she advised that the offender grabbed and choked (domestic violence) her yesterday but she refused to make a statement for a police report and refused to press any charges.

3 The offender has violated the standard supervision condition which states '**You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**'

On October 13, 2015, this officer spoke with the offender who advised that he was at work and this officer scheduled an evening home visit with the offender after his work hours. During the subsequent evening visit, this officer became aware that the offender's employment ended on October 9, 2015 and the offender subsequently admitted that he was untruthful to this officer advising that he was laid off from work on October 9, 2015.

4 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On August 1, 2015 at approximately 2:30 am, the Lindenwold, New Jersey Police contacted this U.S. Probation Officer and advised that they responded to a 911 call from the offender's paramour, Patrice Petermen, who advised the police that the offender was intoxicated and they became involved in a verbal dispute which escalated to the offender grabbing and hitting Petermen in the eye. Petermen advised that she used pepper spray on the offender and the offender grabbed the pepper spray and sprayed Petermen. Petermen exited her apartment and went to a neighbor's apartment where she called police using a neighbor's cell phone. The offender fled the area when police arrived. Petermen advised police that she did not want to file a restraining order against the offender.

A warrant for a domestic violence simple assault charge was filed by the police with a \$500.00, 10% bail.

On August 1, 2015, at approximately 3:30 pm, this officer spoke with the offender and advised the offender of the above-referenced warrant and directed the offender to turn himself into the local police as soon as possible and the offender advised that he would do so. The offender reported to the Lindenwold Police around 6:00 pm and was processed and released on \$500.00 bail, 10%.

On August 13, 2015, the offender appeared in Lindenwold, New Jersey, Municipal Court and the offender's domestic violence simple assault case was dismissed without prejudice with the condition that the offender show proof within 60 days that he is in a domestic violence program or an anger management

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Brandon Horton

program.

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The offender has violated the special supervision condition which states '**ALCOHOL/DRUG TESTING AND TREATMENT**' You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

On August 1, 2015, at approximately 3:30 pm, this officer spoke with the offender in reference to the above-referenced Violation Number One and the offender admitted to this officer that he drank some beers on the evening of July 31, 2015.

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The offender has violated the standard supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

On July 20, 2015 at approximately 10:10 pm, a Laurel Springs, New Jersey, Police Officer conducted a traffic stop of a vehicle driven by Rasheed Muwwakkil because he was driving without the vehicle's headlights on. The offender was a passenger in the vehicle and was not wearing a seatbelt. According to the officer, he questioned Muwwakkil and the offender but the officer did not issue any traffic tickets.

Respectfully submitted,

WILFREDO TORRES, Chief
U.S. Probation Officer


John L. Paccione
U.S. Probation Officer
Date: December 8, 2015

THE COURT ORDERS:

The amended Violation of Supervised Release is approved. The offender is a Camden Re-entry Court participant and he has advised the Court that he wants the Camden Re-entry Court to address the above-referenced violations.

The Issuance of a Summons. Date of Hearing: _____.

No Action

Other

Neel C. Allana

Signature of Judicial Officer

Dec. 9, 2015

Date